

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 238 - SB 1478

March 18, 2011

SUMMARY OF BILL: Creates a Class A misdemeanor for a motor fuel transporter operating a transport truck knowingly to offload motor fuel into a fuel tank of a retail station while more than 10 feet from, or outside the line of sight of, the transport truck's shut-off valve. Requires at least 10 traffic cones surrounding the fueling hose while the fueling hose is in use. Creates a Class A misdemeanor for any person operating a retail station or facility that knowingly allows these violations to occur. Creates a Class C misdemeanor for any person to knowingly drive a motor vehicle over a fueling hose when the hose is surrounded by at least 10 traffic cones.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- According to the Department of Commerce and Insurance, there will be no additional requirements by the Department to regulate liquefied petroleum gas dealers.
- According to the Department of Safety (DOS), there will be no impact on the Commercial Vehicle Enforcement Division.
- Based on information provided by DOS, there will not be a sufficient number of prosecutions for state or local government to experience any significant increase in revenue or expenditures.
- According to the Department of Environment and Conservation, any impact on the Underground Storage Tank Fund cannot be reasonably determined due to multiple unknown factors. The requirements of this bill could result in fewer incidents where petroleum is improperly released.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

/jaw